

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**CRIMINAL ACTION NO.: 3:21-CR-49  
(GROH)**

**JONATHAN TOEBBE  
and DIANA TOEBBE,**

Defendants.

**ORDER SCHEDULING SENTENCING HEARINGS**

Now before the Court are Change of Plea Orders for Jonathan and Diana Toebbe (“Defendants”). ECF Nos. 91 & 100. Accordingly, the Defendants’ sentencing hearings will be held on August 16, 2022, at 1:00 p.m., in the Martinsburg District Judge Courtroom.

**Sentencing memoranda must be filed at least fourteen days prior to the sentencing hearing.** If a party elects to respond to a sentencing memorandum, the response must be filed at least seven days prior to the hearing. Moreover, any motions for departure or variance must also be filed at least fourteen days before sentencing and must state the requested degree of relief and the reason for the requested relief. If a party requests both a departure and variance, it shall file a separate motion for each. Written response must be filed at least seven days before sentencing and state all bases for any objections to the requested relief.

**DATED:** February 24, 2022

  
GINA M. GROH  
CHIEF UNITED STATES DISTRICT JUDGE